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INFO RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE PRIORITY  
RUEHWN/AMEMBASSY BRIDGETOWN PRIORITY 2130  
RUEHCV/AMEMBASSY CARACAS PRIORITY 0859  
RUEHGE/AMEMBASSY GEORGETOWN PRIORITY 1041  
RUEHKG/AMEMBASSY KINGSTON PRIORITY 2825  
RUEHPO/AMEMBASSY PARAMARIBO PRIORITY 1171  
RUEHPU/AMEMBASSY PORT AU PRINCE PRIORITY 4759  
RUEHSP/AMEMBASSY PORT OF SPAIN PRIORITY 1872  
RUEHUB/USINT HAVANA PRIORITY 0148  
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SUBJECT: SANTO DOMINGO ECONOMIC-POLITICAL ROUNDUP, DECEMBER  
21, 2007

(U) In this edition of the Roundup:

- [1. Supreme Court Rules in Favor of Journalist's FOIA Request](#)
- [2. New Model Community for Sugarcane Workers](#)
- [3. Government Will Not Prosecute Electricity Theft](#)
- [4. Music Inspires Social Progress](#)

[1. \(SBU\) Supreme Court Rules in Favor of Journalist's FOIA Request](#)

On December 6, the Supreme Court ruled in favor of journalist Luis Eduardo "Huchi" Lora in an important test of the Dominican Republic's Freedom of Information Act (FOIA). Lora had requested documents regarding construction plans and geological studies of Santo Domingo's controversial subway project after he received information that proper feasibility studies had not been conducted. A lower court ruled in April that the Presidential Transportation Reorganization Office (OPRET) must provide the requested information; however, the government appealed the decision on national security grounds. The Supreme Court upheld the lower court's ruling, forcing OPRET to provide the requested information. Lora has already received several bins and folders of documents from the government and he expects to receive additional information. Comment: During the Ambassador's courtesy call on Supreme Court President Subero Isa on December 19, Subero cited the subway FOIA case as one the two most important decisions made by the court this year. It is indeed rare here to see the executive branch lose a major court case and this one is precedent setting, since the public and government are testing the scope and limit of the 2004 FOIA law. The two court rulings and OPRET's eventual compliance are significant steps toward open, transparent governance and adherence to the rule of law. End Comment.

[2. \(SBU\) New Model Community for Sugarcane Workers](#)

The major sugar producing firm the Vicini Group has broken ground on a USD5.5 million housing project designed to improve living conditions for its sugarcane workers and other "batey" (sugarcane community) residents. The 18-month plan calls for relocating approximately 1,000 individuals -- workers, their families, and selected long-term non-working

batey residents currently scattered among three bateys -- into a new community of 127 basic concrete homes centered on a primary school, a health clinic, and two churches. According to the Vicinis, residents of this new community will be provided with electricity, water (potable water and a sewage system), and trash collection, none of which are currently common. Two additional communities are in planning stages. All three communities will be served by a high school, paid for by the Vicinis, that is nearly complete. Vicini Group senior officials took pains to assert that these relocation plans are part of a long-term, preexisting effort to improve social responsibility and not a response to NGOs and others that have recently criticized conditions in the sugar industry, most notably in a spate of films (e.g. "The Price of Sugar," "Big Sugar," "Sugar Babies"), and in the controversially titled photographic display, "Slaves in Paradise."

#### 13. (SBU) Government Will Not Enforce Prosecution of Electricity Theft

The Dominican Superintendent of Electricity announced on December 3 that recently passed legislation criminalizing electricity theft will not be enforced for at least another three months. This announcement was made despite the fact that the grace period for implementation, which was supported by officials from the distribution companies, has expired. The legislation was passed as a condition of the country's current IMF stand-by agreement and is a pillar of the reform efforts necessary to reduce the country's roughly USD650 million subsidy for electricity. Comment: Upon passage of the legislation in July, Bear Sterns' regional analyst made a prescient warning, i.e. "We are concerned about the government's ability and/or willingness to enforce this new

law given the proximity of next May's presidential election."

While excuses were provided such as the need to launch a public awareness campaign and hire special prosecutors and staff, the failure to implement this legislation clearly reinforces the perception that the government is currently unwilling to pay the political cost of holding those responsible for theft accountable. The decision also contradicts the government's recent statements about the need for energy conservation in the context of rising fuel prices, since there is little incentive to save energy when there is no penalty for its theft. Resolving the electricity sector's problems is essential to reducing the government's burdensome subsidy and, more broadly, for improving the prospects for economic growth. End Comment.

#### 14. (U) Music Inspires Social Progress

The First Lady of the Dominican Republic headlined the launch of a campaign against domestic violence on December 19 entitled, "Pegale a la Pared," which was inspired by a song of the same title by Mexican musician Reyli Barba. The launch witnessed the signing of a law enforcement and assistance cooperation agreement between the Attorney Generals' Offices of the Dominican Republic and Puerto Rico. Domestic violence has reached alarming levels in recent years in the Dominican Republic, according to the Dominican special prosecutor for women's issues. Barba, who played the campaign's theme song live to a packed audience, was joined by musician Gilberto Santa Rosa, also known as the "Gentleman of Salsa," and a representative of the Dominican merengue music idol Juan Luis Guerra, who together have added celebrity clout to this campaign's message. The most concrete outcome of the campaign's launch appears to be the initiative to open as many as 27 domestic violence support centers throughout the Dominican Republic in 2008.

(U) This report and additional information can be found on Embassy Santo Domingo's SIPRNET site,  
<http://www.state.sgov.gov/p/wha/santodomingo/>  
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